

## The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ELIZABETH DE COSTER, et al., on behalf of  
themselves and all others similarly situated,

## Plaintiffs,

V.

AMAZON.COM, INC., a Delaware corporation,  
Defendant.

No. 2:21-cv-00693-RSM

**STIPULATION AND ORDER  
EXTENDING TIME FOR REPLY  
BRIEF ON MOTION TO DISMISS**

**NOTE ON MOTION CALENDAR:**  
November 18, 2021

The parties, by and through their counsel, stipulate and agree as follows:

1. Plaintiffs initially filed this lawsuit on May 26, 2021.
  2. On June 21, 2021, the Court entered a stipulated order [Dkt. 15] consolidating  
the case with *West v. Amazon.com, Inc.*, Case No. 2:21-cv-694 (“Stipulated Order”).
  3. The Stipulated Order provided for Plaintiffs to file a consolidated amended class  
complaint within 30 days of entry of the Stipulated Order; for Amazon to file an answer  
otherwise respond within 60 days after Plaintiffs file their consolidated amended class action  
complaint; for Plaintiffs to file their opposition to any motion to dismiss 60 days after  
Amazon’s motion to dismiss, unless Plaintiffs elected to amend a second time; and for Amazon  
to file its reply brief on its motion to dismiss within 45 days of the opposition.

4. Consistent with the Stipulated Order, Plaintiffs filed their Consolidated Amended Complaint [Dkt. 20] on July 21, 2021. Amazon thereafter filed its Motion to Dismiss [Dkt. 35] on September 20, 2021.

5. Plaintiffs have advised Amazon that they intend to oppose Amazon's motion to dismiss rather than seek to amend their complaint a second time. Plaintiffs will file their opposition to the motion to dismiss on Friday, November 19, 2021, as required under the Stipulated Order.

6. Pursuant to the Stipulated Order, Amazon's reply in support of its motion to dismiss will be due on or before Monday, January 3, 2022.

7. Because the existing deadline for Amazon's reply brief falls on the Monday following New Year's Day, Amazon has requested relief from the deadline in light of the year-end holidays.

8. Plaintiffs have agreed to accommodate this request. The parties agree, subject to the Court's approval, that Amazon may file its reply brief in support of its motion to dismiss on Tuesday, January 18, 2022, noting the motion for consideration on Friday, January 21, 2022.

IT IS SO STIPULATED.

DATED this 18th day of November 2021.

DAVIS WRIGHT TREMAINE LLP  
*Attorneys for Amazon.com, Inc.*

By: s/ Stephen M. Rummage  
Stephen M. Rummage, WSBA #11168  
MaryAnn Almeida, WSBA #49086  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104-1610  
Ph: (206) 622-3150; Fax: (206) 757-7700  
E-mail: SteveRummage@dwt.com  
E-mail: MaryAnnAlmeida@dwt.com

1 PAUL, WEISS, RIFKIND, WHARTON &  
2 GARRISON LLP

3 Karen L. Dunn (*pro hac vice*)  
4 William A. Isaacson (*pro hac vice*)  
5 Amy J. Mauser (*pro hac vice*)  
6 Martha L. Goodman (*pro hac vice*)  
7 Kyle N. Smith (*pro hac vice*)  
8 2001 K Street, NW  
9 Washington, D.C.  
Telephone: (202) 223-7300  
Fax: (202) 223-7420  
E-mail: kdunn@paulweiss.com  
E-mail: wisaacson@paulweiss.com  
E-mail: amauser@paulweiss.com  
E-mail: mgoodman@paulweiss.com  
E-mail: ksmith@paulweiss.com

10 *Attorneys for Amazon.com, Inc.*

11 HAGENS BERMAN SOBOL SHAPIRO LLP  
12 *Attorneys for Plaintiffs*

13 By: s/ Steve W. Berman  
14 Steve W. Berman, WSBA #12536  
Barbara A. Mahoney, WSBA #31845  
15 1301 Second Avenue, Suite 2000  
Seattle, WA 98101  
Ph: (206) 623-7292; Fax: (206) 623-0594  
E-mail: steve@hbsslaw.com  
E-mail: barbaram@hbsslaw.com

16 KELLER LENKNER LLC

17 Zina G. Bash (*pro hac vice*)  
18 111 Congress Avenue, Suite 500  
Austin, TX, 78701  
19 Telephone: (512) 690-0990  
E-mail: zina.bash@kellerlenkner.com

20 Warren D. Postman (*pro hac vice*)  
Albert Y. Pak (*pro hac vice*)  
21 1100 Vermont Avenue, N.W., 12th Floor  
Washington DC, 20005  
22 Telephone: (202) 918-1123  
E-mail: wdp@kellerlenkner.com  
E-mail: albert.pak@kellerlenkner.com

23 *Interim Lead Counsel for Plaintiffs*

1 QUINN EMANUEL URQUHART &  
2 SULLIVAN, LLP

3 By: /s/ Alicia Cobb  
4 Alicia Cobb, WSBA # 48685  
5 1109 First Avenue, Suite 210  
6 Seattle, WA 98101  
7 Telephone: (206) 905-7000  
8 Email: aliciacobb@quinnemanuel.com

9 Steig D. Olson (pro hac vice)  
10 David D. LeRay (pro hac vice)  
11 Nic V. Siebert (pro hac vice)  
12 51 Madison Avenue, 22nd Floor  
13 New York, NY 10010  
14 Telephone: (212) 849-7000  
15 Email: steigolson@quinnemanuel.com

16 Adam B. Wolfson (pro hac vice)  
17 865 South Figueroa Street, 10th Floor  
18 Los Angeles, CA 90017-2543  
19 Telephone: (213) 443-3000  
20 Email: adamwolfson@quinnemanuel.com

21 KELLER ROHRBACK L.L.P.

22 By: /s/ Derek W. Loeser  
23 Derek W. Loeser (WSBA No. 24274)  
24 1201 Third Avenue, Suite 3200  
25 Seattle, WA 98101-3052  
26 Telephone: (206) 623-1900  
27 Facsimile: (206) 623-3384  
Dloeser@kellerrohrback.com

28 *Plaintiffs' Executive Committee Members*

## ORDER

Pursuant to stipulation, IT IS SO ORDERED.

DATED this 18<sup>th</sup> day of November, 2021.

Ricardo S. Martinez  
RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE